

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

KALEIL ISAZA TUZMAN, OMAR
AMANAT, and IRFAN AMANAT,

Defendants.

ORDER

15 Cr. 536 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

The sentencing of Defendant Tuzman is scheduled for July 30, 2021 at 12:00 noon. Although the trial in this matter concluded more than three years ago, and this Court's decision denying Defendant Tuzman and Omar Amanat's post-trial motions was issued nearly three months ago, the Government waited until July 28, 2021 – two days before the scheduled sentencing – to submit a proposed order of forfeiture as to Tuzman. (See July 28, 2021 Gov't Ltr. (Dkt. No. 1175)) Predictably, Tuzman objects to the Government's proposed order of forfeiture and seeks a hearing and/or time to determine whether a negotiated resolution with the Government as to this issue is possible. (See July 29, 2021 Tuzman Ltr. (Dkt. No. 1177))

Pursuant to Fed. R. Crim. P. 32.2, forfeiture must be announced at the time of sentence. Moreover, where a defendant contests forfeiture, either side may request a hearing. See Fed. R. Crim. P. 32.2(b)(1)(B). Accordingly – and very regrettably – it is necessary to further adjourn sentencing in this long-delayed matter.

In an attempt to ensure that there are no further last minute adjournments, the Court provides the following schedule for further submissions and hearings, if necessary.

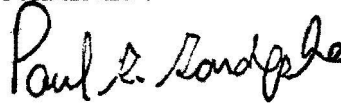
The Government will respond to Tuzman's July 29, 2021 letter (Dkt. No. 1177) by **August 4, 2021**. The parties will send a joint letter to the Court by **August 9, 2021**, stating whether they have been able to reach agreement as to an appropriate order of forfeiture. If a hearing is necessary concerning this issue, it will be conducted on **August 16, 2021 at 12:00 noon** in Courtroom 705 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York. Tuzman's sentencing is adjourned to **August 20, 2021 at 2:00 p.m.**

The Government's request to defer a determination regarding restitution (see Dkt. No. 1175) is denied. The Government will submit any proposed order of restitution as to Tuzman by **August 4, 2021**. The parties will inform the Court by **August 9, 2021**, whether there is a dispute as to restitution. If a hearing is necessary concerning restitution, it will also be conducted on **August 16, 2021 at 12:00 noon**.

Any Government request for an order of forfeiture or restitution as to Omar Amanat and Irfan Amanat is to be submitted by **August 4, 2021**. Any opposition to the proposed orders of forfeiture or restitution will be submitted by **August 9, 2021**.

Dated: New York, New York
July 29, 2021

SO ORDERED.



Paul G. Gardephe
United States District Judge